IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE EIGHTEENTH DAY OF JANUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SRI JUSTICE N.V. RAMANA

WRIT PETITION NO.164 of 2005

Between:

Rayalaseema Navodaya Minority Educational Society, CSI Complex, Kadapa, Rep. by its Secretary Sri K. Raja Ratnam Isaac.

..... PETITIONER

AND

1 The State of Andhra Pradesh, Rep. by its Principal Secretary to the

Government, Education (Training) Department, A.P. Secretariat,

Hyderabad.
2 The Commissioner & Director of School Education, A.P. Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue an appropriate writ more in the nature of a writ of Mandamus declaring the action of the respondents in not according "No Objection Certificate" to the petitioner for starting of a college of Education at Kadapa as being arbitrary and illegal, violative of Articles 14 and 30(1) of the Constitution of India and issue consequential direction to the respondents to forthwith issue No Objection Certificate in lieu of the application made by the petitioner for starting of a College of Education at Kadapa.

Counsel for the Petitioner: MR.CH.SAMSON BABU

Counsel for the Respondents: GP FOR EDUCATION

The Court, at the admission stage, made the following:

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ORDER:

The main grievance of the petitioner-Educational Society in this writ petition is that it made a representation on 30.07.2004 before the 1st respondent-Principal Secretary to Government, Education (SE-Training) Department seeking to review the earlier rejection order dated 03.09.2003 for grant of permission to start a Minority College of Education and to issue "No Objection Certificate" for the academic year 2004-2005 in lieu of permission to start a Minority College of Education at Kadapa, but, so far the same is not being considered. Hence, the present writ petition is filed.

Heard the learned counsel for the petitioner and learned Government Pleader for Education. Both the counsel agreed for disposal of the writ petition at the stage of admission.

Since the representation of the petitioner-Educational Society dated 30.07.2004 for grant of 'No Objection Certificate' to start a Minority College of Education at Kadapa is said to be pending consideration before the 1st respondent-Principal Secretary to Government, Education (SE-Training) Department, without going into the merits of the matter, I deem it appropriate to dispose of the writ petition with a direction to the 1st respondent-Principal Secretary to Government, Education (SE-Training) Department to consider the same and pass appropriate orders thereon in accordance with law, expeditiously, preferably within a period of four weeks from the date of receipt of a copy of this order.

With the above direction, the writ petition is disposed of at the stage of admission. No costs.

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(N.V. RAMANA, J)

Date: 18.01.2005

Nsr

..... REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The Principal Secretary to the

Government, Education (Training) Department, State of Andhra

Pradesh, Secretariat, Hyderabad.

2 The Commissioner & Director of School Education, A.P. Hyderabad.

3 Two CCs to GP for Education, High Court of AP, Hyderabad (OUT)

4 Two CD copies.